THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18354 of 2005

Dated: 14-09-2006

Between:

The Asthane Noor-E-Elahi, Noor Sha-Vali Dargah ….Petitioner

And

The District Collector and others. …Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18354 of 2005

ORDER:

The Managing Committee of Asthane Noor-E-Elahi Noor Sha-Vali Dargah filed the instant writ petition seeking a writ of Mandamus declaring the action of respondent Nos.1 to 4 in not preventing respondent No.5 from interfering with the affairs of Sri Hazarth Syed Noor Shavali Darga (hereinafter called, the Darga) situated at Rapur Village, Nellore District, as illegal, unjust and for a consequential direction to respondent Nos.1 to 4 not to allow respondent No.5 to interfere with the affairs of the Darga.

It is the case of the petitioner-committee that while it is celebrating Gandha Mahotsavam during urs of the Darga from 22.08.2005 to 24.08.2005, the followers of late Kareem Baba including respondent No.5 are trying to interfere with the affairs of the Darga. The petitioner-committee, therefore, lodged complaint with respondent No.1, in vain. Taking advantage of this, respondent No.5 published invitation card showing as if he is celebrating Gandha Mahotsavam as Muzawar of the Darga. Therefore, apprehending further obstruction by respondent No.5 during the urs of the Darga, the petitioner-committee filed the present writ petition.

The learned counsel for the petitioner is absent. Sri B. Prabhakar, counsel representing the learned counsel for the petitioner, seeks adjournment on the ground that the learned counsel for the petitioner is out of station. This matter is coming up for admission since 19-08-2005, therefore this Court is not inclined to grant adjournment.

The learned standing counsel for respondent No.3 and learned counsel for respondent No.5 submit that the urs was completed in August, 2005 and as the writ petition has been filed in connection with the said urs, nothing survives in the writ petition. This Court agrees with the submission.

The writ petition is, therefore, dismissed as infructuous. No costs.

V.V.S.RAO, J

14th September, 2006
ghn